

REMARKS

Claims 2-5 and 7-18 have been canceled. Amended claims 1 and 6 are in this application.

Claims 1 and 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent Application No. 2002/0157002 ("Messengers") in view of United States Patent No. 6,223,226 ("Miyahara").

Independent claims 1 and 6 have been amended herein. As a result and as an example, amended claim 1 now recites in part the following:

"first requesting means for sending the user identification information and the device identification information for the respective electronic device, and software identification information for selected software, to the server to request that the selected software be provided;

installing means for installing the selected software provided from the server after the first requesting means has sent the user identification information and the device identification information for the respective electronic device, and the software identification information for the selected software, to the server a first time;

second requesting means for sending the software identification information for the selected software, the user identification information, and the device identification information for the respective electronic device to the server a second time so as to request that a license required to run the selected software be generated based on predetermined license generating information and be provided to the electronic device;" (Emphasis added.)

It is respectfully submitted that the present application provides support for the features herein added to claim 1 (and claim 6). With regard thereto and as an example,

reference is made to Steps S31, S32, and S33 of Fig. 9 and paragraphs 0059, 0064, and 0066 of the present application.

Accordingly, in the system of claim 1, the software identification information, the user identification information, and the device identification information are sent to the server two times---a first time to request that the selected software be provided and a second time to request that a license required to run the selected software be generated.

In explaining the above 103 rejection and as best understood, the Examiner appears to rely on Messerges (and in particular paragraphs 0037, 0038, and 0077) to disclose the first requesting means, the installing means, and the second requesting means of claim 1. In response, it is respectfully submitted that such portions of Messerges do not appear to disclose sending software identification information, user identification information, and device identification information to a server a first time and a second time in the manner specifically recited in amended claim 1. Accordingly, it is believed that amended claim 1 is distinguishable from the applied combination of Messerges and Miyahara.

For reasons similar to those previously described with regard to claim 1, it is also respectfully submitted that amended independent claim 6 is also distinguishable from the applied combination of Messerges and Miyahara.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in order to overcome any additional rejections and/or objections which the Examiner might have.

If there are any charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,
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